

Abraham Lincoln papers

[Abraham Lincoln] Bill of Exceptions¹, October 14, 1859

1 Lincoln served as judge in this case. Blount owed Combs a sum of money; Stubblefield endorsed Blount's notes and Blount secured the debt with a mortgage on land. Blount and Stubblefield defaulted and Combs sued to foreclose the mortgage. Stubblefield demurred but Lincoln overruled him; Lincoln then decreed that Combs was due \$2000. Stubblefield filed the bill of exception to Lincoln's ruling that follows, claiming that he had demurred because Stubblefield's wife had not been named a party in the action. A settlement may have eventually been reached in this case. See Martha L. Benner, and Cullom Davis, et al., eds., *The Law Practice of Abraham Lincoln: Complete Documentary Edition* (Urbana and Chicago: University of Illinois Press, 2000), File No. LO 0535.

W. R. Coombs}

vs}In Chancery to foreclose.

John R. Blount &}

Absalom Stubblefield}

Be it remembered that in this case the defendants demurred, because the wife of Stubblefield is not made a party; that the court over-ruled the demurrer, and to which the defendants then & there excepted—

D. Davis, Judge²

2 The signature is that of Davis.

[Endorsed by Robert Lewis:]

Coombs}

vs}

Blount &}

Stubblefield}



Bill of Exception.

Filed Oct 14th 1859

Robert Lewis Ck